

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

(1)	ERIN MICHELLE DUFFY,	)	
		)	
	Plaintiff,	)	
		)	
v.		)	Case No. 15-cv-144-TCK-TLW
		)	
(1)	SAFECO INSURANCE	)	
	COMPANY OF AMERICA,	)	
		)	
	Defendant.	)	

**NOTICE OF REMOVAL**

Defendant, Safeco Insurance Company of America (“Defendant”), pursuant to 28 U.S.C. § 1441 *et seq.*, and LCvR 81.2 of the United States District Court for the Western District of Oklahoma, hereby files its Notice of Removal. In further support, Defendant states:

1. The above styled case was commenced in the District Court of Creek County, State of Oklahoma, and is now pending in that Court. Process was served on Defendant by certified mail to the Oklahoma Insurance Commissioner on February 23, 2015. A copy of Plaintiff’s Petition is attached as **EXHIBIT 1**. A copy of Plaintiff’s Motion to Enlarge Time for Service of Process is attached as **EXHIBIT 2**. A copy of the Order Allowing Extension of Time to Serve Defendants is attached as **EXHIBIT 3**. A Court Minute filed July 11, 2014, is attached as **EXHIBIT 4**. A Court Minute filed November 21, 2014, is attached as **EXHIBIT 5**. A Court Minute filed December 5, 2014, is attached as **EXHIBIT 6**. A Court Minute filed December 15, 2014, is attached as **EXHIBIT 7**. A copy of a Summons with Return of Service

filed December 30, 2014, is attached as **EXHIBIT 8**. A copy of Plaintiff's First Amended Petition is attached as **EXHIBIT 9**. A copy of an Alias Summons with Return of Service filed March 19, 2015, is attached as **EXHIBIT 10**. A copy of the Creek County Docket Sheet is attached as **EXHIBIT 11**.

2. Plaintiff was a resident of Tulsa, Oklahoma, at the time of the accident, and is now and was at the time of filing this litigation a resident of Windsor, Colorado.

3. Defendant, Safeco Insurance Company of America, is an New Hampshire Corporation doing business in the State of Oklahoma.

4. Complete diversity of citizenship exists between the parties.

5. This action is one of a civil nature in which the District Courts of the United States have original jurisdiction pursuant to 28 U.S.C. § 1332, said action having been brought by the Plaintiff against the Defendant for money damages arising from a contract of insurance with Defendant.

6. Plaintiff's claim is seeking damages in excess of \$75,000.00. (Plaintiff's First Amended Petition, **EXHIBIT 9**.)

WHEREFORE, for the reasons set forth herein, Safeco Insurance Company of America respectfully submits that the requirements for removal have been satisfied, as complete diversity of citizenship exists, and the amount in controversy exceeds \$75,000.00.

Respectfully submitted,

s/ Michael Woodson

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**ATTORNEYS FOR DEFENDANT**

**CERTIFICATE OF SERVICE**

This is to certify that on March 23, 2015, I electronically transmitted the above document to the Clerk of the Court using the ECF System for filing. Based on the records currently on file, the Clerk of the Court will transmit a Notice of Electronic Filing to the following ECF registrants:

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**ATTORNEYS FOR PLAINTIFF**

s/ Michael Woodson  
For the Firm